

**U.S. DISTRICT COURT FOR WESTERN DISTRICT  
OF PENNSYLVANIA**

WARREN DURHAM, JR.,

CIVIL ACTION

Plaintiff,

No.: 04-297E

-vs-

Judge Sean J. McLaughlin/Magistrate Judge  
Susan Paradise Baxter

CITY OF ERIE, PENNSYLVANIA,  
COUNTY OF ERIE, PENNSYLVANIA,  
CHRISTOPHER McEL YNN, BRUCE  
TACKETT, JAMES WASHBURN,  
PATRICK DURKIN, and FRED P.  
ANTHONY,

Defendants.

**NOTICE TO TAKE DEPOSITION**

TO: Warren Durham, Jr.  
12119 Matherson Avenue  
Cleveland, OH 44135

You are hereby notified that on Monday, May 8, 2006, at 10:00 a.m. at Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, Pennsylvania 16501, counsel for the Defendants will take your deposition upon oral examination in accordance with the provisions of FRCP 30. Such deposition will be recorded by before a stenographic reporter duly authorized by law to administer oaths. The deposition shall continue day to day until completed or adjourned. The deposition will be used for discovery purposes and may be introduced as evidence in trail of the above action.

LAW OFFICE OF JOSEPH S. WEIMER

BY: 

Edmond R. Joyal, Jr., Esquire  
Pa. I.D. #65907

Attorney for Defendants, City of Erie  
and James Washburn and Patrick Durkin  
975 Two Chatham Center  
Pittsburgh, PA 15219  
(412) 338-3184

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing NOTICE TO TAKE DEPOSITION has been served by First Class Mail, postage pre-paid, upon the following parties on this 1<sup>st</sup> day of May, 2006.

Warren Durham, Jr.  
12119 Matherson Avenue  
Cleveland, OH 44135  
*(Pro Se Plaintiff)*

Kemal Alexander Mericli  
Office of the Attorney General  
Civil Litigation Section  
564 Forbes Avenue  
6<sup>th</sup> Floor, Manor Complex  
Pittsburgh, PA 15219  
*(Counsel for Defendant, Bruce Tackett)*

Mark E. Mioduszewski  
Knox, McLaughlin, Gornall & Sennett  
120 West Tenth Street  
Erie, PA 16501  
*(Counsel for Defendant, City of Erie)*

A. Taylor Williams, Esquire  
Administrative Office of Pennsylvania Courts  
1515 Market Street, Suite 1414  
Philadelphia, PA 19102  
*(Counsel for Defendant, Judge Fred P. Anthony)*

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Erie, Officers James Washburn  
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